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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
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10/811,975

03/30/2004

Kazumasa Makino

119306

2989

25944 7590 05/23/2008

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EXAMINER

VERBITSKY, GAIL KAPLAN

ART UNIT

PAPER NUMBER

2855

MAIL DATE

DELIVERY MODE

05/23/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/811,975 | <b>Applicant(s)</b><br>MAKINO, KAZUMASA |  |
|                              | <b>Examiner</b><br>Gail Verbitsky    | <b>Art Unit</b><br>2855                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-10,12-16 and 23-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-10,12-16 and 23-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-10, 12-16, 23-36 are finally rejected under 35 U.S.C. 102(b) as being anticipated by Okamura et al. (U.S. 5191382) [Okamura].

Okamura discloses in Figs. 8-9 and 12-13 a device in the filed of applicant's endeavor comprising all the subject matters described by applicant in the preamble of the claims including an image forming device 50 which along with a part B, a frame E supporting the image forming device 50 constitutes an image forming unit/ system A, wherein the image forming device 50 and the support C are at the bottom of the image forming unit; a first attaching portion F which is a part of the second attaching portion D, when used to attach a first storage frame/ unit I, it is acting as the first attaching portion, when used to attached the second storage frame/ unit H, it is acting as the second attaching portion, the attaching portions are included in each other. the attaching means/ portions D are on the edges of the first and second storage frames/ guides .

The frame E (Fig. 9) along with the support C included in the frame E and storages have protrusions/ pins 105 and holes on its edges for attachment to each other.

Since (Fig. 12) the second storage frame includes the first storage frame, the 1<sup>st</sup> attaching portion is acting as both, the first and the second attaching portions, and thus, it can be considered that the second attaching portion includes the first attaching portion.

It is inherent, that everything above the storage frames could be considered as covers (first, second) G. Okamura discloses a paper supply roller 7. (The numerals A-I have been added by the Examiner, see attachment # 1, 11/11/2007 to the Office Action).

### ***Response to Arguments***

Applicant's arguments filed 02/07/2008 have been fully considered but they are not persuasive.

Applicant states that Okamura uses the same pins 105 to attach all the cassettes extenders and cannot have both first attaching means and second attaching means. It appears that the Applicant's position is that, in the applicant's invention, the first attaching portion and the second attaching portions are different portions (not the same) and serve different purposes of attaching the first storage frame and the second storage frame respectively. However, according to the specification and drawings, the first attaching portion is included and thus, constitutes a part of the second attaching portion. Therefore, it is considered by the Examiner that both attaching portions (one included in another) are acting as an (one) attachment for both the first storage frame and the second storage frame, therefore, one can say that one attachment (comprising first and

second attaching portions) is capable of attaching either a first storage frame or a second storage frame.

Or, in a broad sense, the claim language of claim 1 of applicant could be interpreted as: “a first (and second) attaching portion for attaching a first storage frame, a second (and first) attaching portion for attaching a second storage frame”, and teaching of this limitation could be found in Okamura.

Please note, Applicant has never claimed that the first attaching portion is only serves for attaching the first storage frame and the second attaching portion is capable of attaching only the second storage frame. Therefore, one can conclude that a structure comprising combined first and second attaching portions is capable to attach either first storage frame or second storage frame.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in the PTO-892 and not mentioned above disclose related devices and methods.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gail Verbitsky whose telephone number is 571/ 272-2253. The examiner can normally be reached on 7:30 to 4:00 ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571/ 272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GKV

*Gail Verbitsky  
Primary Patent Examiner, TC 2800*

May 19, 2008

/Gail Verbitsky/  
Primary Examiner, Art Unit 2855

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